

REMARKS

The present application included pending claims 16, 17, and 20-32. Claims 16, 17, and 20-27 have been allowed, while claims 28-32 stand rejected. By this Amendment, claim 28 has been amended, while claim 32 has been canceled without prejudice or disclaimer. The Applicants respectfully submit that the claims define patentable subject matter.

The specification has been amended as set forth above to state that Serial No. 08/268,782 is a continuation of Serial No. 07/846,707.

Claims 28-30 stand rejected under 35 U.S.C. 112, first and second paragraphs. The Manual of Patent Examining Procedure states the following:

When the examiner is satisfied that patentable subject matter is disclosed, and it is apparent to the examiner that the claims are directed to such patentable subject matter, he or she should allow claims which define the patentable subject matter with a reasonable degree of particularity and distinctness. Some latitude in the manner of expression and the aptness of terms should be permitted even though the claim language is not as precise as the examiner might desire.

See MPEP at § 2173.02 (emphasis in original). Further, if the claim rejections noted below are maintained, the Applicants respectfully request a suggestion for an amendment, as the MPEP encourages. *See id.* (“Examiners are encouraged to suggest claim language to applicants to improve the clarity or precision of the language used, but should not reject claims or insist on their own preferences if other modes of expression selected by applicants satisfy the statutory requirement.”).

Claim 28 stands rejected under 35 U.S.C. 112, first and second paragraphs. The Office Action states that “as the song title data is not recited as compressed, the limitation must include

‘compressed pictorial graphics.’” See July 10, 2006 Office Action at page 3. Claim 28 has been amended to recite “a communication interface for receiving compressed digital song data, song identity data, and compressed song associated images;... in which the song associated images are decompressed and shown on the display.” Thus, the Applicants respectfully request reconsideration of this claim rejection.

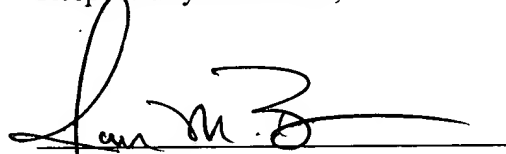
Claims 28-30 stand rejected under 35 U.S.C. 112, first and second paragraphs. The Office Action cites the present application at page 12, line 11, which states “At a block 161, **if no song selection is playing**, the processing circuit operates in a user attract mode, displaying a random sequence of available graphic images on the visual display 125.” Moreover, the present application at page 12, line 25, states “If, however, a song selection is being played when the block 161 is encountered, the attract mode sequencing does not occur.” Thus, as stated in the specification, if **no song selection is playing**, i.e., no selected song is playing, the processing circuit operates in a user attract mode. Moreover, if no song is playing, then no selected song can be playing, but not necessarily vice versa. The Applicants respectfully submit that “no song selection... playing” is the same as “no selected song... playing.”

The Applicants respectfully submit that there is ample support for “wherein said processor generates a user attract-mode in which the digitally-stored song associated graphics are decompressed and shown on said display when no selected song is playing on the computer jukebox,” as recited in claim 29, for example. Thus, the Applicants request reconsideration of these claim rejections.

In order to expedite prosecution, the Applicants have canceled claim 32 without prejudice or disclaimer, but reserve the right to pursue the subject matter of claim 32 in a continuation application.

The Applicants respectfully submit that the claims of the present application should be in condition for allowance and request reconsideration of the claim rejections. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney for the Applicants. The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe M. Butscher", written over a horizontal line.

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